

## UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

Nelva L. Rosette Campos

Date of Original Judgment: 08/15/2023

Date of Previous Amended Judgment: \_\_\_\_\_

(Use Date of Last Amended Judgment if Any)

Case No: 0419 3:22-CR-00235-001USM No: 22102-510

Pro se

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 50 months **is reduced to** 46 months.

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 08/21/2023, shall remain in effect.

**IT IS SO ORDERED.**

Signed: April 1, 2024



Frank D. Whitney  
United States District Judge

Effective Date: \_\_\_\_\_

(if different from order date)

SEALED DOCUMENT with access to All  
Parties/Defendants.

**This page contains information that should not be filed in court unless under seal.**  
**(Not for Public Disclosure)**

DEFENDANT: Nelva L. Rosette Campos  
CASE NUMBER: 3:22CR00235  
DISTRICT: Western District of North Carolina

**I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)**

Previous Total Offense Level: <u>25</u>	Amended Total Offense Level: <u>23</u>
Criminal History Category: <u>I</u>	Criminal History Category: <u>I</u>
Previous Guideline Range: <u>57</u> to <u>71</u> months	Amended Guideline Range: <u>46</u> to <u>57</u> months

**II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE**

- ☒ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ The reduced sentence is above the amended guideline range.

**III. FACTORS CONSIDERED UNDER USSG § 1B1.10 AND 18 U.S.C. § 3553(a) (*See Chavez-Meza v. United States, 138 S.Ct. 1959 (2018)*)**

Defendant is eligible for a sentence reduction under Amendment 821 to the United States Sentencing Guidelines because she is a qualified “Zero-Point Offender” under Section 4C1.1. Under Section 1B1.10(b)(2)(A), because the Court varied downward in imposing Defendant’s original sentence, her amended term of imprisonment cannot be less than the low-end of the amended Guideline Range. The Court finds a sentence of 46 months, the low-end of the amended Guideline Range, is sufficient but not greater than necessary to serve the purposes of sentencing under 18 U.S.C. Section 3553(a).